

Defunding Obamacare: Worth a Try

Republicans have some fiscal opportunities — and should seize them.

By Michael Tanner, senior fellow at the Cato Institute and author of *Leviathan on the Right: How Big-Government Conservatism Brought Down the Republican Revolution*.

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After a summer of relative quiet on the fiscal front, Congress is approaching two deadlines that will be vital not just in terms of the U.S. economy, but for the future of the Republican party as well.

Sometime in late October, the federal government will once again reach its statutory debt limit, meaning that, without congressional action, the government will not be able to borrow any more money. That would require an immediate 25 percent cut in government spending — the sequester on steroids.

But before that, on September 30, the continuing resolution (CR) currently funding the federal government will expire. Unless a new CR is approved by then, the federal government will “shut down.”

The government does not actually shut down, of course. Military operations and homeland security, and also such things as air-traffic control, health care at Veterans Administration hospitals, law enforcement and criminal investigations, oversight of food and drug safety, nuclear safety, and so forth, will all continue. And programs that are not subject to annual appropriations, such as Social Security and Medicare, would also continue. But the optics of closed national parks, the complaints of those inconvenienced by delayed public services, and the president’s bully pulpit mean that Republicans will take the blame for whatever hardships do develop.

As a result, Republicans are already starting to twist themselves into knots trying to decide what they should do.

Some, such as would-be presidential candidate Representative Peter King of New York, are already running up the white flag. “We should not be closing down the government under any circumstances,” King told CNN, saying that refusing to approve a new continuing resolution wouldn’t be only bad politics but also “wrong” as a matter of policy.

Meanwhile, defense hawks such as Senators John McCain and Lindsey Graham have suggested they’re willing to go along with the Obama administration’s attempts to use the CR to undo the sequester. McCain, Graham, and their allies may even be willing to accept tax increases in order to roll back the sequester’s defense cuts.

But a much bigger split seems to be developing over what to do about defunding Obamacare.

The key to implementing Obamacare is not the now-delayed employer mandate or the wildly unpopular individual mandate. It is not the nearly \$1.2 trillion in new taxes or the exchanges that may or may not be operational by their October 1 deadline. Rather, it is the \$1.8 trillion in exchange subsidies and Medicaid expenses that the law will pay out over the next ten years.

The Congressional Budget Office estimates that as many as 16 million Americans will be affected by those coverage provisions next year. The Obama administration knows that this will help cement a constituency for the health-care law, regardless of how big a train wreck the rest of the law becomes. Obamacare may cost taxpayers trillions of dollars, drive up the national debt, slow economic growth, and kill jobs. People may not be able to keep their current insurance and may have trouble keeping their doctor. But once millions of Americans begin to receive those subsidies, it will be all but impossible to undo.

Thus, the CR vote may be the last chance to stop Obamacare.

Senator Ted Cruz and Representative Tom Price are expected to introduce an amendment that would prohibit the use of any funds authorized by the CR “to carry out any provision of the Patient Protection and Affordable Care Act.” In addition, a dozen Republican senators (Cruz, Mike Lee, Marco Rubio, Rand Paul, Jim Risch, Jim Inhofe, David Vitter, John Thune, Jeffrey Chiesa, Mike Enzi, Debra Fischer, and Chuck Grassley) have signed a letter pledging not to vote for any CR that includes funding for Obamacare.

Some Republicans have taken a decidedly different position. Representative Tom Cole, a deputy majority whip, calls efforts to defund Obamacare “a temper tantrum” by House conservatives. Senator Richard Burr of North Carolina says it’s “the dumbest idea” he’s ever heard. And Senator Bob Corker calls it “silly.” Reportedly, the GOP leadership in both chambers is actively working against the idea.

In some ways, this seems like an obvious fight for Republicans to pick. According to public-opinion polls, support for Obamacare is near an all-time low. Democrats and their constituencies are defecting in droves: Earlier this month, 35 Democratic congressmen voted in favor of eliminating the employer mandate, and 22 voted to kill the individual mandate as well. The Teamsters, the United Food and Commercial Workers, and other unions have written to the administration demanding changes to the law. And even Democratic lawmakers in Massachusetts have voted to seek a waiver from some of Obamacare’s requirements.

But critics of tying Obamacare to the CR have a point as well. Republicans are very likely to pay a political price for any government shutdown. Moreover, it is hard to see a path to victory. It is almost inconceivable that President Obama will abandon the signature accomplishment of his presidency. And further, as a matter of policy, Republicans trying to defund Obamacare may simply be beating their heads against a stone wall. As Senator Tom Coburn put it: “I’d be leading the charge if I thought this would work. But it will not work.”

Still, sometimes lawmakers really should stand for something more important than their own reelection. Obamacare is such a fundamental transformation of the American health-care system, and its consequences for patients, providers, taxpayers, and the economy are so grave, that if this is not an issue that Republicans are willing to lose their jobs over, what is?

Alternatively, even if the president will never accept the repeal of his health-care law, a year’s delay might be a feasible compromise. After all, the president has already delayed the employer

mandate and other portions of the law. There are considerable doubts as to whether other parts of the law, such as the exchanges, will be fully operational. A great many Democrats might welcome more time to work through some of those “glitches.”

At the very least, Republicans ought to try something. As Senator Lee told Fox News, “Maybe we can’t repeal [Obamacare] right now, but we can delay its funding. And if we can delay it, we can stop its consequences, at least for now.”

Whether that will happen remains to be seen. Asked if Republicans had the courage to fight for defunding, Rand Paul replied gloomily, “Honestly? Probably not.”

Oh well. Perhaps they do have the courage to pass a symbolic resolution to repeal the health-care law for the 40th time.